

# PLANNING COMMISSION REPORT



MEETING DATE: December 15, 2004      ITEM No. \_\_\_\_\_ GOAL: Coordinate Planning to Balance Infrastructure

## SUBJECT

### **Pima Corridor Rezone - 9-ZN-2004**

## REQUEST

Request to rezone from Single Family Residential District (R1-35) to Industrial Park District (I-1) on a 2 +/- acre parcel located north of northeast corner of Pima Freeway and Raintree Drive.

### **Key Items for Consideration:**

- The General Plan designates this area as Employment with a Regional Use Overlay.
- Adjacent land uses are commercial/office.
- The rezoning would allow office and light industrial uses.
- There is no known opposition.

### **Related Policies, References:**

Case 33-ZN-1997#3 for the adjacent property to the south is running concurrent with this case.

## OWNER

Pima Commercial Properties, LLC  
480-607-1970

## APPLICANT CONTACT

Craig Sherman  
Pima Commercial Properties, LLC  
480-607-1970

## BACKGROUND

### **General Plan.**

The City General Plan Land Use Element designates the property as Employment with a Regional Use Designation. The Regional Use Designation is intended to encourage land uses that serve a regional market. Regional land uses include corporate offices, major medical and educational facilities, and other uses having a regional draw that enhances the City's employment core and attractiveness to regional markets.

### **Zoning/Context.**

This 2-acre property is located approximately 1,200 feet north of the intersection of Pima/101 Freeway and Raintree Drive, and was previously used for construction staging for the Pima/101 Freeway. The site's only direct access is from the freeway Frontage Road. The site is currently zoned Single Family Residential District (R1-35), which allows for single family residential uses and churches, and private schools upon approval of a Conditional Use Permit. To the north of this property are commercial office uses zoned I-1 District, to the south is vacant land planned for commercial offices and mixed



uses zoned Central Business District (C-2), to the west is the Pima/101 Freeway, and to the east is a vacant property still zoned R1-35 District. The nearest residence is located over 700 feet to the east.

At the time the applicant purchased the property, the City's zoning map incorrectly showed the zoning of this property as I-1 District. This error inadvertently occurred at the time the zoning for the surrounding properties changed. The City corrected the zoning maps and advised the applicant of the rezoning process to obtain the I-1 zoning.

There is a concurrent zoning case for the adjacent property to the south (33-ZN-1997#3), which proposes amendments to the original zoning stipulations and site plan. Both the applicant of this request (9-ZN-2004) and of 33-ZN-1997#3 have coordinated shared access stipulations along their shared property line.

#### APPLICANT'S PROPOSAL

##### **Goal/Purpose of Request.**

The applicant proposes to rezone the 2-acre property from the R1-35 District to the I-1 District, which will allow a variety of light industrial and commercial office uses. At the time the applicant purchased the property, the City's zoning map incorrectly showed the zoning of this property as I-1 District. The City corrected the zoning maps and advised the applicant of the rezoning process to obtain the I-1 zoning. There is currently no site plan proposed, however access to the site will be limited to the southwest corner along the freeway Frontage Road. The applicant has coordinated cross access agreements with the adjacent property owner to the south and east for eventual indirect access from 90<sup>th</sup> Street.

##### **Development information.**

- *Existing Use:* Vacant
- *Parcel Size:* 2+/- acres
- *Building Height Allowed in I-1:* 36 feet
- *Floor Area Ratio Allowed in I-1:* 0.6 of net lot area
- *Lot Coverage Allowed in I-1:* 50%
- *Setbacks:* 50 feet along the freeway Frontage Road  
30 feet adjacent to residential district

#### IMPACT ANALYSIS

##### **Land Use.**

The proposed I-1 zoning district allows for a variety of regional land uses that promote employment activities intended along the freeway corridor, including manufacturing and processing, research and development, and office operations. Other major office/employment centers zoned I-1 include the Perimeter Center, Horseman's Park, The Scottsdale Airpark, and portions of Northsight area. The proposed I-1 District is more consistent with the General Plan Land Use Element than the current R1-35 District. Other zoning districts that also promote employment activities and are consistent with the General Plan's Employment/Regional Use Designation include the Commercial Office (C-O) and the Central Business (C-2) District.

**Traffic.**

The rezoning of the property from residential (R1-35) to Industrial Park District (I-1) will likely result in an increase approximately 550 daily trips. This comparison is based on the ability to provide two single-family residential lots under the R1-35 zoning category, and 34,300 square feet of general office under the I-1 zoning.

Primary access to the site will be from the Pima Freeway frontage road. The applicant has an agreement with the Arizona Department of Transportation to allow a driveway on the frontage road. Staff has met with the applicant and the property owner to the south to secure a cross access agreement that will allow a connection from the site to 90<sup>th</sup> Street. This connection will provide alternative site access and satisfy emergency services need for secondary access.

**GLO Easements.**

This property has a Government Land Office (GLO) patent easement along the south, north, and east property lines. The applicant is proposing a cross access easement in the same location as the GLO easement along the south property line to provide access to the property to the south and east. The developer will make a decision regarding abandonment of the GLO easements on the site as the site plan gets designed. The City's interests in the GLO easements on the property to south were abandoned in 1999 (case 5-AB-1999).

**Water/Sewer.**

There exist water and sewer lines along the freeway Frontage Road, and the developer of this site will be responsible for extending lines necessary to serve this site.

**Police/Fire.**

The rezoning is not expected to impact police or fire services. The nearest fire station is located within two miles of this site at Raintree Drive and Hayden Road.

**Community Involvement.**

The surrounding property owners have been notified, the site has been posted, and the applicant held an open house to discuss the rezoning. Other than from the adjacent property owner to the south, there has been little or no interest from surrounding property owners. The applicant has coordinated cross access agreements with the adjacent property owner to the south and east for eventual indirect access from 90<sup>th</sup> Street. Other than general inquiries, there have been no comments regarding this proposal.

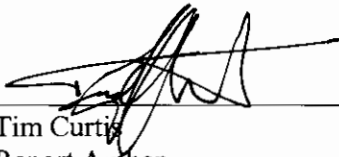
**Community Impact.**


Rezoning this property will extend the existing employment/office character along the Freeway Frontage Road, and is compatible with the other I-1 District to the north and C-2 District to the south. Surrounding property owners and neighborhoods have no objections, and the I-1 District will provide a buffer between the Pima/101 Freeway and the residential neighborhood further to the east. Although no site plan was submitted with this application, stipulations

provide certainty that access to the Freeway Frontage Road will be located at the southwest corner of the site, and shared access has been coordinated with the property owner to the south. The Development Review Board will review the interior site layout and building design.

STAFF RECOMMENDATION	<b>Recommended Approach:</b> Staff recommends approval, subject to the attached stipulations.
RESPONSIBLE DEPT(S)	<b>Planning and Development Services Department</b> Current Planning Services
STAFF CONTACT(S)	Tim Curtis Project Coordination Manager 480-312-4210 E-mail: <a href="mailto:tcurtis@ScottsdaleAZ.gov">tcurtis@ScottsdaleAZ.gov</a>

**APPROVED BY**

  
\_\_\_\_\_  
Tim Curtis  
Report Author

  
\_\_\_\_\_  
Kurt Jones, AICP  
Director, Current Planning

**ATTACHMENTS**

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Citizen Involvement
8. City Notification Map
9. Shared Access Exhibit

## PROJECT DESCRIPTION

This project is requesting approval for the rezoning of a 2.25 acre parcel from R1-35 status to I-1 designation. The Landowner/Applicant acquired this parcel from ADOT in 2003. Due to an inadvertent error in the maps provided by the City of Scottsdale to ADOT, ADOT represented this parcel at the time of sale as being zoned I-1. After the sale, Applicant discovered that an error was made on City maps regarding this parcel. This request for rezoning is intended to correct the situation and allow Applicant to develop the land commercially. The property on the north is zoned I-1 and the property to the south is zoned C-2. The west border of the property fronts the Pima Freeway. The eastern border of the property is over 700 feet from the closest existing residential development.

The adjacent property owner successfully petitioned for a rezoning of its 21.5 acres from R1-35 to I-1 status in Case #33-ZN-97. Approval of the rezoning of Applicant's parcel would allow the parcel to be developed in conformance with the General Plan of the City of Scottsdale. The Character Plan of the Environmental Design Element of the General Plan designates the Pima Freeway Corridor as a Visually Important Roadway. It states that the area along the Pima Freeway will be a dense mixed-use employment core. The Applicant proposes to seek rezoning of its parcel in order to develop a commercial building consistent with the General Plan.

ATTACHMENT #1

9-ZN-2004  
4/30/2004



**ATTACHMENT #2**





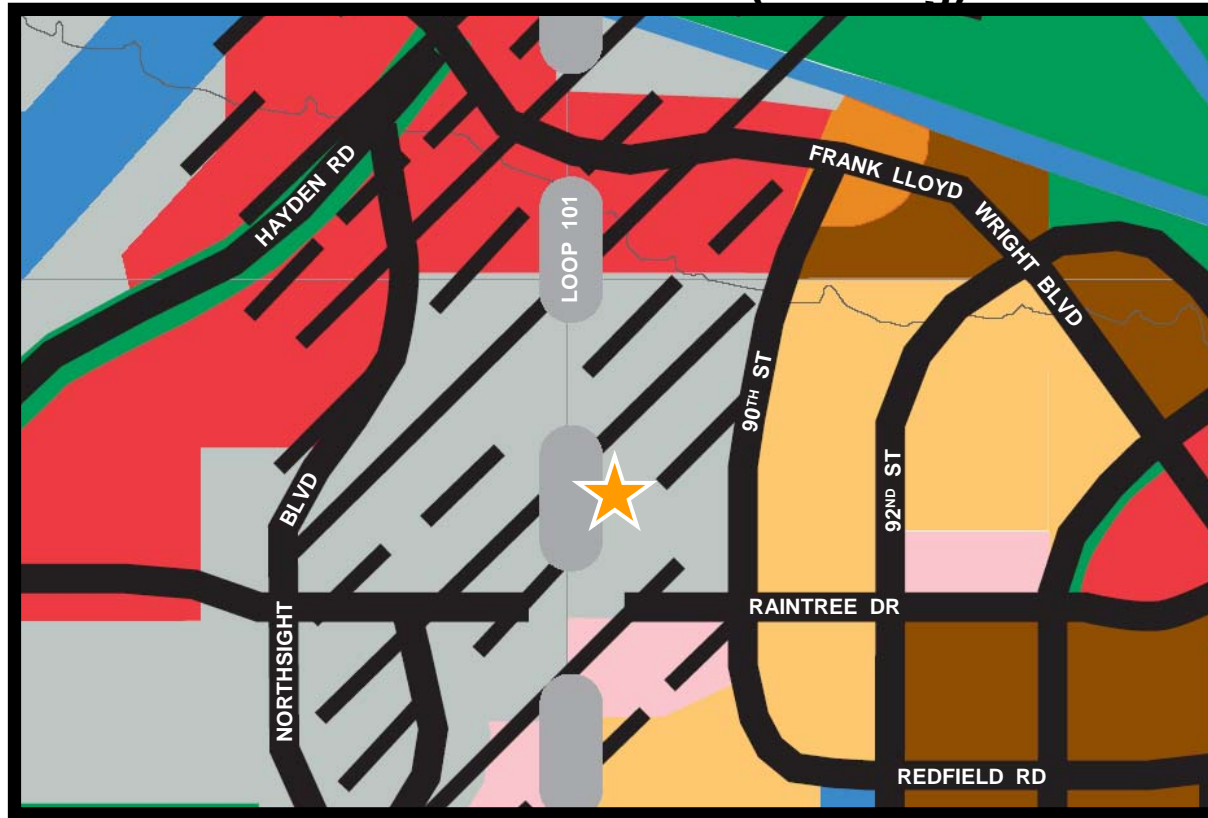
# Pima Corridor Rezone

**9-ZN-2004**

ATTACHMENT #2A



# General Plan (Existing)



- |  |                         |  |                                      |
|--|-------------------------|--|--------------------------------------|
|  | Rural Neighborhoods     |  | Commercial                           |
|  | Suburban Neighborhoods  |  | Office                               |
|  | Urban Neighborhoods     |  | Employment                           |
|  | Mixed-Use Neighborhoods |  | Natural Open Space                   |
|  | Resorts/Tourism         |  | Developed Open Space (Parks)         |
|  | Shea Corridor           |  | Developed Open Space (Golf Courses)  |
|  | Mayo Support District   |  | Cultural/Institutional or Public Use |
|  | Regional Use District   |  |                                      |

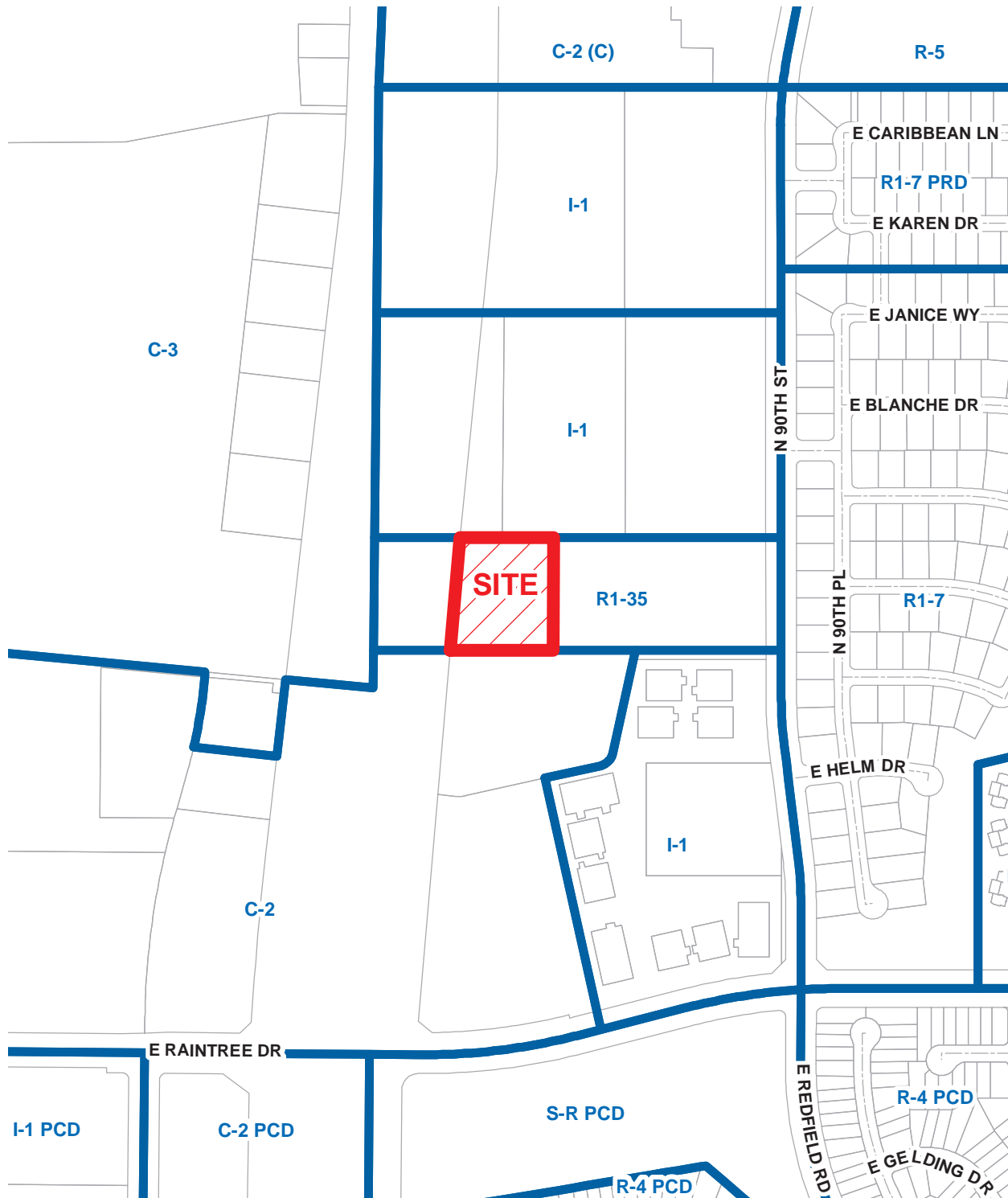
- |  |   |  |                             |
|--|---|--|-----------------------------|
|  | McDowell Sonoran Preserve (as of 8/2003)                    |  | Location not yet determined |
|  | Recommended Study Boundary of the McDowell Sonoran Preserve |  |                             |
|  | City Boundary   |  |                             |



**9-ZN-2004**  
ATTACHMENT #3

Adopted by City Council October 30, 2001  
Ratified by Scottsdale voters March 12, 2002  
revised to show McDowell Sonoran Preserve as of May 2004  
revised to reflect General Plan amendments through June 2004

Rezone from Single Family Residential District (R1-35) to Industrial Park District (I-1)



9-ZN-2004

ATTACHMENT #4

## STIPULATIONS FOR CASE 9-ZN-2004

### CIRCULATION

1. ACCESS RESTRICTIONS. Before issuance of any certificate of occupancy for the site, the developer shall construct the following access to the site:
  - a. Pima Freeway frontage road - There shall be a maximum of one site driveway (right in, right out) located at the southwestern corner of the property. The driveway design and location shall be subject to Arizona Department of Transportation approval.
2. AUXILIARY LANE CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lane at the site entrance on Pima Freeway Frontage Road, in conformance with the Design Standards and Policies Manual. The design requirements shall be subject to conformance with Arizona Department of Transportation standards and shall be subject to their approval.
3. EASEMENT REQUIREMENTS. Before any Development Review Board approval for any development on this site, the developer shall dedicate an access easement across the parcel in a form acceptable to City staff. The access easement shall be dedicated to provide access for the adjacent parcel to the south, ultimately connecting the site driveway on Pima Freeway frontage road through the subject parcel to the access easement on the parcel to the south labeled "Proposed Easement (Sherman)" on the Proposed Shared Access Exhibit dated November 24, 2004 (staff report Attachment 10). The developer shall construct a minimum twenty-four (24) foot wide paved driveway within the easement and within the aforementioned easement on the parcel to the south. The design and location of the easement shall be coordinated with the owner/developers of the aforementioned adjacent parcel, and shall be subject to staff review and approval.



## **ADDITIONAL INFORMATION FOR CASE 9-ZN-2004**

### **ENGINEERING**

1. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.

### **DRAINAGE AND FLOOD CONTROL**

1. **CONCEPTUAL DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
  - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property.
  - b. Determine easement dimensions necessary to accommodate design discharges.
  - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
  - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
  - e. Include a complete description of requirements relating to project phasing.

### **WATER**

1. **NEW WATER FACILITIES.** Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.

### **WASTEWATER**

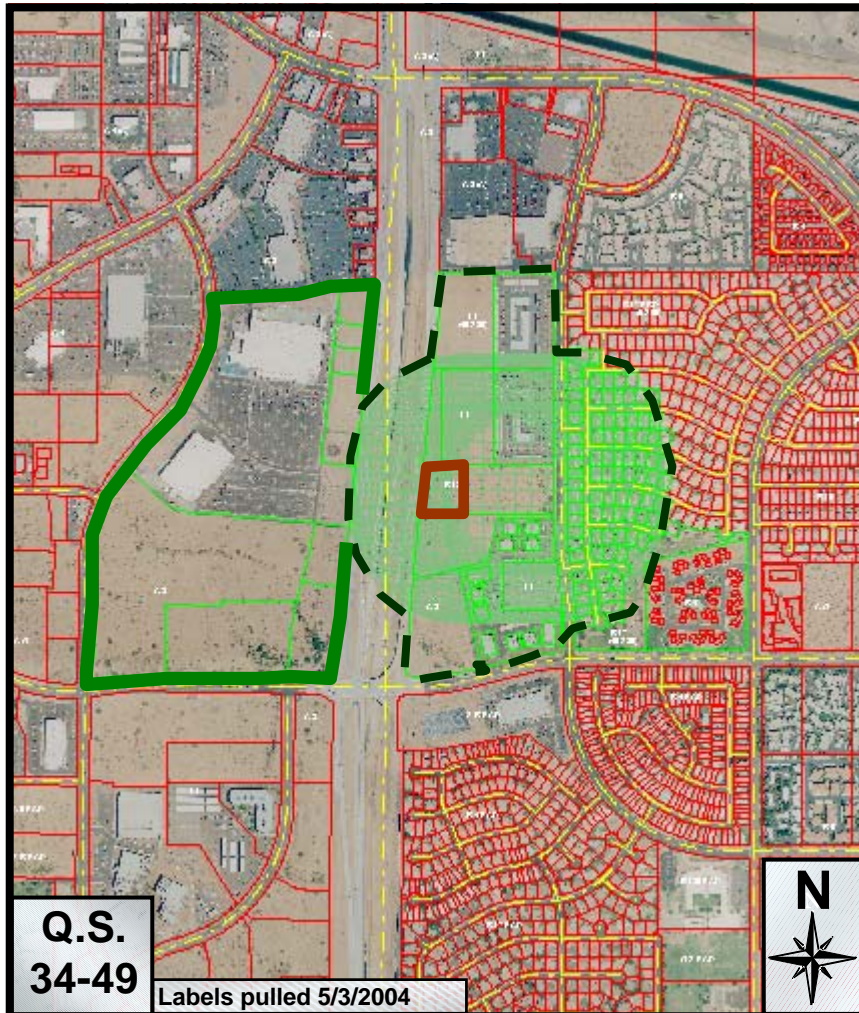
1. **NEW WASTEWATER FACILITIES.** Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city Wastewater System Master Plan.

# **Pima Corridor Rezone 9-ZN-2004**

## **Attachment #7. Citizen Involvement**

The above attachment is on file at the City of  
Scottsdale Current Planning office,  
7447 E Indian School Road, Suite 105.

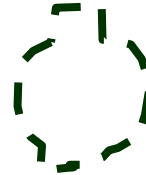
# City Notifications – Mailing List Selection Map



## Map Legend:



Site Boundary



Properties within 750-feet



Extended Selection  
(Additional properties notified)

## Additional Notifications:

- Interested Parties
- Coalition of Pinnacle Peak
- Adjacent HOAs

# Pima Corridor Rezone

## 9-ZN-2004

ATTACHMENT #8



**LEGEND  
SHARED ACCESS  
RESPONSIBILITIES**

EXISTING  
ROADWAY  
(CAVAN) 

PROPOSED  
EASEMENT  
(SHERMAN) 

PROPOSED EASEMENT  
(SHERMAN)

PARCEL 3  
"MAP OF DEDICATION & LOT SPLIT  
RAINTREE CORPORATE CENTER"  
(MAP BOOK 506, PG. 23)

A.P.N. 217-15-944  
(CAVAN)

30' WIDE  
ACCESS EASEMENT

PARCEL 1

(ORCCOA)

GLO LOT 5  
A.P.N. 217-15-035A  
(SHERMAN)

EXISTING 31' QAO  
EASEMENT

EXISTING 31' QAO  
EASEMENT

EXISTING ROADWAY  
(CAVAN)

GLO LOT 7  
A.P.N. 217-15-033  
(WESOLOWSKI)

30' WIDE  
ACCESS EASEMENT

EASEMENT 'A'  
(M.B. 506, PG. 23)

Note: "ORCCOA" stands for  
The Offices at Raintree  
Corporate Center Owners  
Association.

90TH STREET



NOT TO SCALE

**PROPOSED SHARED ACCESS EXHIBIT  
A.P.N. 217-15-035A & A.P.N. 217-15-944**

ENCUMBERING PARCELS 1 AND 3, "MAP OF DEDICATION & LOT SPLIT  
RAINTREE CORPORATE CENTER", PER MB 506, PG 23  
PART OF WEST 1/2, SECTION 7, T. 3N., R. 5E.  
G. & S. R. B. & M., MARICOPA COUNTY, ARIZONA

Prepared by: DAC Consulting, Inc.

Date: Nov. 24, 2004

File: RCC4-1.dwg.v1